

ENTERED

February 28, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

)

Chapter 11

)

Tug Robert J. Bouchard, Corporation,¹

)

Case No. 20-34758 (DRJ)

)

Post-Effective Date Debtors.

)

(Formerly Jointly Administered Under Lead

)

Case: Bouchard Transportation Co., Inc.,

)

20-34682)

Relates to Docket Nos. 12 and 13.**STIPULATION AND AGREED ORDER BETWEEN THE POST-EFFECTIVE DATE
DEBTORS, PEAK CREDIT LLC, AND 507 SUMMIT LLC (Docket No. 141)**

This stipulation and agreed order (the “Stipulation and Agreed Order”) is made and entered into by and between the Plan Administrator² on behalf of the above-captioned post-effective date debtors (collectively, the “Debtors” and, after the September 3, 2021 Effective Date, the “Post-Effective Date Debtors”) and Peak Credit LLC and 507 Summit LLC (the “Claimants” and, collectively with the Post-Effective Date Debtors, the “Parties”). The Parties stipulate to and agree as follows:

RECITALS

A. The Post-Effective Date Debtors filed their

¹ Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/bouchard>. The location of the Debtors’ or Post-Effective Date Debtors’ service address is: c/o Portage Point Partners, LLC, 300 North LaSalle, Suite 1420, Chicago, Illinois 60654.

² The Plan appoints Matthew Ray, Debtors’ Chief Restructuring Officer, as the Plan Administrator and the Plan grants the Plan Administrator the authority to litigate and settle claims objections. *See* Plan, Art. IX.B.

- *First Omnibus Objection to Certain Proofs of Claim (Amended Claims, Exact Duplicate Claims, Insufficient Documentation Claims, Late-Filed Claims, No Liability Claims, and Satisfied Claims)* [Docket No. 995 in case no. 20-34682];
 - *Third Omnibus Objection to Certain Proofs of Claim (Modified Claims, Misclassified Claims, Fully or Partially Satisfied Claims, Duplicate Claims, and No Liability Claims)* [Docket No. 12];
 - *Fourth Omnibus Objection to Certain Proofs of Claim (Modified Claims, Fully or Partially Satisfied Claims, Duplicate Claims, and No Liability Claims)* [Docket No. 13];
 - *Fifth Omnibus Objection to Certain Proofs of Claim (Misclassified Claims and Incorrect Debtor Claims)* [Docket No. 14]; and
 - *Sixth Omnibus Objection to Certain Proofs of Claim (Partial Liability, Satisfied, Duplicate, No Liability, Reclassified, Late-Filed Claims)* [Docket No. 103]
- (collectively, the “Objections”), which objects to certain of the Claimants’ claims (the “Claims”), all as more fully set forth in the Objections.

B. The Parties have reached a settlement of the Claims.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:

1. The Claimants have an allowed \$7,222,377.35 claim, which includes a \$4,688,146.84 secured claim and a \$2,534,230.51 general unsecured claim.
2. The Post-Effective Date Debtors shall pay the \$4,688,146.84 secured claim within 14 days of entry of this Stipulation and Agreed Order.

3. This Stipulation and Agreed Order fully resolves all claims that the Claimants, as claimants or assignees, have filed or could have filed against the Debtors.

4. The Bankruptcy Court shall have exclusive jurisdiction to resolve any and all disputes related to this Stipulation and Agreed Order.

5. This Stipulation and Agreed Order shall be effective and enforceable immediately upon entry.

IT IS SO ORDERED.

Signed: February 28, 2022.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

AGREED TO:

/s/ Genevieve M. Graham

JACKSON WALKER L.L.P.

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- and -

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